

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

<hr/>)	Case No. 19-CV-05268
ELEMENT WORKS USA, LLC, a New)	
Jersey limited liability company; E. WORKS)	
LLC, a New York limited liability company;)	Judge: Eric N. Vitaliano
MOBILE TECH WORKS, a New York)	Magistrate Judge: Sanket J. Bulsara
corporation; AND SAM CHERA.)	
)	
Plaintiffs)	
)	
vs.)	
)	
SOLOMON SHEMIA a/k/a STEVE		
SHEMIA, A&J HOME CARE, INC., a New		
York corporation, and HOME HEALTH		
CARE SERVICES OF NY, INC. d/b/a HCS		
HOME CARE, a New York Corporation		
Defendant.		

**PLAINTIFFS' NOTICE OF MOTION FOR VOLUNTARY DISMISSAL OF THE
COMPLAINT WITHOUT PREJUDICE**

Nature of Action: Unfair Competition and Deceptive Trade Practices

Moving Party: Plaintiffs Element Works USA, LLC; E. Works LLC; Mobile Tech Works, and Sam Chera

Date and Time: At a date and time determined by the court.

Place: Hon. Eric N. Vitaliano, United States Courthouse, 225 Cadman Plaza East, Buffalo, New York.

Supporting Papers: Memorandum of Law, dated January 8, 2021; and Exhibits A-G, in Support of Plaintiffs' Motion for Voluntary Dismissal of the Complaint Without Prejudice

Relief Requested: An Order granting Plaintiffs' Motion for Voluntary Dismissal of the Complaint Without Prejudice

Grounds for Relief: Federal Rule of Civil Procedure 41

Reply Papers: Please take notice that Defendants intend to file and serve reply papers.

Oral Argument: Not Requested

Respectfully submitted,

Date: January 8, 2021

By: s/ Charles D. Pfister
Gregory F. Ahrens, Esq.
Charles D. Pfister, Esq.
Wood, Heron & Evans, L.L.P.
441 Vine Street, 2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324
Fax: (513) 241-6234
gahrens@whe-law.com
cpfister@whe-law.com

Attorneys for Plaintiffs
Element Works USA, LLC, E. Works LLC, Mobile
Tech Works, Inc. and Sam Chera

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2021, the foregoing document was served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

Via Email

Nicholas Fortuna, Esq.
Diana Uhimov, Esq.
Allyn & Fortuna LLP
1010 Avenue of the Americas
3rd Floor
New York, New York 10018

Attorneys for Defendants

/s/ Charles D. Pfister
Gregory F. Ahrens, Esq.
Charles D. Pfister, Esq.
Wood, Herron & Evans, L.L.P.
441 Vine Street, 2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324
(513) 241-6234 (Facsimile)
gahrens@whe-law.com
cpfister@whe-law.com

Attorneys for Plaintiff
ELEMENT WORKS USA, LLC, E.
WORKS LLC, MOBILE TECH WORKS.
and SAM CHERA